

JUDGE BATTAGLIA

Filed 04/30/2008 Page 1 of 4

USDC SDNY

ELECTRONICALLY FILED

APR 30 2008

DATE FILED

INDICTMENT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

x

UNITED STATES OF AMERICA

:

INDICTMENT

-v.-

08 Cr.

JOSEPH MUTO,

Defendant.

:

08 CRIM 384

----- x -----

COUNT ONE

The Grand Jury charges:

1. On or about August 17, 2006, in the Southern District of New York, JOSEPH MUTO, the defendant, unlawfully, willfully, and knowingly, in a matter within the jurisdiction of the judicial branch of the Government of the United States, to wit, the United States Court of Appeals for the Second Circuit, did falsify, conceal, and cover up by trick, scheme, and device a material fact, and did make materially false, fictitious, and fraudulent statements and representations, and did make and use false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries, to wit, the defendant submitted an immigration appeal brief with a signature he knew falsely purported to be authored by someone posing as a lawyer for the petitioner.

(Title 18, United States Code, Sections 1001 and 2.)

COUNT TWO

The Grand Jury further charges that:

2. On or about August 23, 2006, in the Southern District of New York, JOSEPH MUTO, the defendant, unlawfully, willfully, and knowingly, in a matter within the jurisdiction of the judicial branch of the Government of the United States, to wit, the United States Court of Appeals for the Second Circuit, did falsify, conceal, and cover up by trick, scheme, and device a material fact, and did make materially false, fictitious, and fraudulent statements and representations, and did make and use false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries, to wit, the defendant submitted an immigration appeal brief with a signature he knew falsely purported to be authored by someone posing as a lawyer for the petitioner.

(Title 18, United States Code, Sections 1001 and 2.)

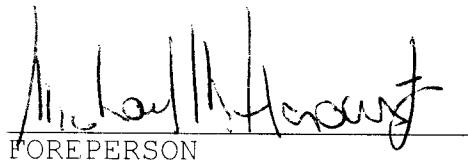
COUNT THREE

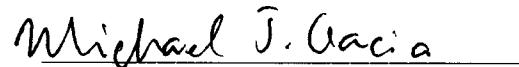
The Grand Jury further charges that:

3. In or about August 24, 2006, in the Southern District of New York, JOSEPH MUTO, the defendant, unlawfully, willfully, and knowingly, in a matter within the jurisdiction of the judicial branch of the Government of the United States, to wit, the United States Court of Appeals for the Second Circuit, did falsify, conceal, and cover up by trick, scheme, and device a material fact, and did make materially false, fictitious, and

fraudulent statements and representations, and did make and use false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries, to wit, the defendant submitted an immigration appeal brief with a signature he knew falsely purported to be authored by someone posing as a lawyer for the petitioner.

(Title 18, United States Code, Sections 1001 and 2.)


Michael J. Garcia
FOREPERSON


Michael J. Garcia
MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JOSEPH MUTO,

Defendant.

INDICTMENT

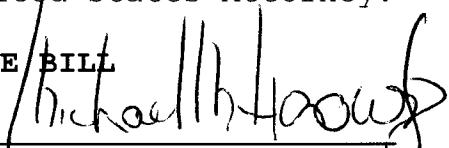
08 Cr.

(18 U.S.C. §§ 1001 & 2.)

MICHAEL J. GARCIA

United States Attorney.

A TRUE BILL


Foreperson.

Filed indictment. Case assigned to Judge Battis.
A/W issued for Def Muto.

SPM

4/30/08

—Francos, J.